

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

A.O., et al.,
Plaintiffs,
v.
KENNETH T. CUCCINELLI, et al.,
Defendants.

Case No. 19-CV-06151 SVK

~~[PROPOSED]~~ SUPPLEMENTAL
PROTECTIVE ORDER

GOOD CAUSE APPEARING AND PURSUANT TO STIPULATION,

The Court authorizes and orders Defendants to produce the Court-Ordered Discovery only to Plaintiffs' counsel in the instant case. This information contained in the updated class list shall be designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY." The term "Highly Confidential-Attorneys' Eyes Only Information" means any Confidential Information that is so competitively sensitive that it could cause harm to that party, or a nonparty, if disclosed to another party in this action. The Court finds that the updated *J.L.* class list contains Highly Confidential-Attorneys' Eyes Only information, which is protected from disclosure under 8 U.S.C. § 1367. Highly Confidential-Attorneys' Eyes Only Information shall not be communicated or disclosed by the recipient in any manner to anyone other than the following persons with a reasonable need to know in relation to their duties in connection with this litigation:

- (i) Attorneys of record for the parties to this litigation, as well as employees of the parties to whom counsel deems it essential to show a document designated Highly Confidential-Attorneys' Eyes Only;
- (ii) Any mediator or other neutral appointed by the Court or chosen by the parties;
- (iii) Persons shown on the face of any document to have authored or received it;
- (iv) This Court and Court personnel;

- 1 (v) An individual petitioner's counsel of record for the petitioner's I-360 Petition, as noted
2 on the updated *J.L.* class list, for the purpose of ascertaining the individual's class
3 membership or other requirements under Fed. R. Civ. P. 23;
4 (vi) Any other person on such terms and conditions as the parties may mutually agree, or as
5 the Court may hereafter direct by further order.

6 Defendants may produce the Court-ordered discovery to Plaintiffs' counsel without obtaining the
7 prior consent of the individuals included on the updated *J.L.* class list. The Court finds that the
8 production of the Court-ordered discovery under the terms of the instant Protective Order does not
9 violate the provisions of 5 U.S.C. § 552a or 8 U.S.C. § 1367, nor does it violate the Protective Order in
10 *J.L. v. Cuccinelli*, 5:18-cv-04914 (N.D. Cal.), ECF 216.

11 **IT IS SO ORDERED.**

12 DATED: July 6, 2020

13 
HON. SUSAN VAN KEULEN
14 United States Magistrate Judge